

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

UNITED STATES OF AMERICA,

v.

JOSE ADOLFO GUTIERREZ.

CASE NO.: 5:09-CR-34

ORDER

This matter is before the Court on defendant's motion to continue this case to the next regular Macon term of court. The defendant states that additional time is needed to review discovery and prepare pretrial motions. The Court finds that the motion should be granted.

Accordingly, IT IS HEREBY ORDERED that the above-referenced matter be continued until reached on the next regular scheduled trial calendar in the Macon Division of this district, and that the Speedy Trial Act deadline for the trial in this matter imposed by 18 U.S.C. § 3161 (c)(1) be extended to the completion of that trial term.

It is the Court's finding, pursuant to 18 U.S.C. § 3161 (h)(8)(A), that the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendant to a speedy trial because the failure to grant such continuance could result in a miscarriage of justice under 18 U.S.C. § 3161 (h)(8)(B)(I), and the failure to grant such continuance would deny counsel for the defendant reasonable time necessary for effective preparation, even accounting for due diligence, under 18 U.S.C. § 3161 (h)(8)(B)(iv).

SO ORDERED, this 16th day of June 2009.

s/ **Hugh Lawson**

HUGH LAWSON

SENIOR UNITED STATES DISTRICT JUDGE